

CITY OF MANHATTAN BEACH
*** D R A F T ***
MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION
DECEMBER 13, 2006

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on
2 Wednesday, December 13, 2006, at 6:35p.m. in the City Council Chambers, City Hall, 1400
3 Highland Avenue.

4
5 **ROLL CALL**

6
7 Chairman Schlager called the meeting to order.

8
9 Members Present: Bohner, Cohen, Lesser, Powell, Chairman Schlager
10 Members Absent: None
11 Staff: Richard Thompson, Director of Community Development
12 Laurie Jester, Senior Planner
13 Sarah Boesch, Recording Secretary
14

15 **APPROVAL OF MINUTES** November 15, 2006

16
17 Commissioner Lesser requested that page 10, line 18 of the November 15 minutes be revised to
18 state: "He also indicated that he feels a compromise has been reached with the wording of
19 Condition 3 being changed ~~and~~ to include language regarding ~~to allowing~~ the staging work."

20
21 Commissioner Cohen, requested that on page 6, line 18 of the minutes, the word "determine" be
22 corrected to "determination."

23
24 Commissioner Cohen page 7, line 4 be revised to read: "She indicated that she listened to his
25 concerns and recommended that he contact ~~the other commissioners and staff~~ Director
26 Thompson."
27

28 A motion was MADE and SECONDED (Bohner/Lesser) to **APPROVE** the minutes of
29 November 15, 2006, as amended.

30
31 AYES: Bohner, Cohen, Lesser, Powell, Chairman Schlager
32 NOES: None
33 ABSENT: None
34 ABSTAIN: None
35

36 **AUDIENCE PARTICIPATION**

37
38 **John Clark**, a resident of the 3600 block of The Strand, said that he has sent an e-mail to the
39 Commissioners. He indicated that there was a notice sent on December 5 by the City regarding
40 the project at 3608 The Strand which specified a deadline of December 15 for the public to
41 respond with comments, which does not allow sufficient time. He pointed out that the City

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 2

1 Council is contemplating an Ordinance to change the way that parcels may be merged in
2 February. He commented that he received a call on his cell phone from Robert Schumann, the
3 applicant and a real estate broker. City staff forwarded his e-mail to Mr. Schumann which had
4 his phone number. He pointed out that any communication that Mr. Schumann had with staff
5 would most likely not be forwarded to him.

6
7 Commissioner Lesser said that he did receive **Mr. Clark's** e-mail.

8
9 Director Thompson said that the application is being processed pursuant to the Code. He
10 indicated that there is a public participation portion after the notification. He indicated that
11 people are responding to the notice regarding the merger with concerns, and staff will take the
12 input into consideration before making a decision.

13
14 Commissioner Lesser reiterated that **Mr. Clark** raised several issues, including concern
15 regarding the time of the noticing; concern that the project might be rushed before there might be
16 upcoming Code changes; and concern that his number was conveyed to a real estate broker.

17
18 **Mr. Clark** said that his phone number was included on the bottom of his e-mail, which was
19 forwarded by someone on the City staff to Mr. Schumann.

20
21 Director Thompson pointed out that correspondence sent to the City is public information and
22 part of the City's file. He said that applicants are always interested in comments received by the
23 City so that they can respond and resolve any issues. He said that he is available during the
24 remainder of this week and next week to speak with the neighbors, and he wants to be certain
25 that there is not misinformation generated regarding the application. He pointed out that there is
26 an appeal process of staff's decision to the Planning Commission, and everyone will receive
27 notice of the decision and the appeal process.

28
29 Commissioner Bohner commented that the matter is not currently before the Commission, and
30 therefore no action can be taken at this time.

31
32 Director Thompson stated that the noticing for the project does comply with Code requirements.

33
34 **Cindy Fisk**, a resident of the 3600 The Strand, said that the concern of the neighbors regarding
35 the proposal at 3608 The Strand is the speed of the decision which is being made next week. She
36 commented that she is a real estate broker and is a tenant of the property. She commented that
37 merging three parcels into one constitutes more than a "minor exception", and it impacts many
38 people in the neighborhood regarding traffic and obstruction of views. She said that there
39 currently is a building which sits across all three parcels. She said there is no need to merge the
40 parcels if no construction is planned at this time. She indicated that that it is agreed that the land
41 should be developed; however, merging the lots into one parcel will impact the future

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 3

1 development that occurs. She said that merging the lots into two parcels makes more sense.

2
3 Director Thompson pointed out that the Minor Exception that is being considered is separate
4 from the issue of the lot merger, and the City is obligated by law to approve lot mergers under
5 the current Code. He stated that the Minor Exception application is for the existing setback that
6 will become non-conforming due to the lot merger. He said that any new development would
7 need to comply with current Code requirements. He said that the Minor Exception would not
8 apply to new development and would only allow the existing building to remain. He stated that
9 he would be willing to sit down with individuals or groups to explain the proposal and its
10 implications. He said that the decision of staff can be appealed to the Planning Commission.

11
12 **Viet Ngo** said that Metlox LLC, owned by Jonathan Tolkin, has been granted authority to use the
13 land for the Metlox development in violation of the RICO (Racketeer Influenced and Corrupt
14 Organizations) Act. He said that he wants the Commissioners to be put on notice that the
15 approval of the Metlox development by the previous Commission and City Council is unlawful.
16 He said that there is evidence that Mike Zislis, the owner of the Shade Hotel, has been offered
17 more than \$5,000.00, in violation of U.S. Code, Title 18, Section 666.

18
19 **BUSINESS ITEMS**

20
21 **PUBLIC HEARINGS**

22
23 **06/0726.1 AMENDMENT to a MASTER USE PERMIT to Extend the Hours of**
24 **Operation by One Hour, and Allow Off-Site Wine Sales and Associated**
25 **Tastings, at Petros Restaurant Located at 451 Manhattan Beach Boulevard,**
26 **Metlox Development**

27
28 Senior Planner Jester summarized the staff report. She indicated that the first two requests by
29 the applicant are to extend the hours of operation for the restaurant by one hour and to allow off-
30 site wine sales. She stated that the other restaurant in the Metlox development has similar hours
31 of operation until 11:00 p.m. Sunday through Thursday and until midnight on Friday and
32 Saturday. She said that the subject request is to allow Petros to operate until midnight during the
33 week and 1:00 a.m on Friday and Saturday nights. She indicated that the proposal was circulated
34 to other City departments for comments, and the Police Department did not have concerns with
35 the one additional hour or the sale of wine. She said that no interest has been expressed by the
36 operators the Shade hotel or deli for increasing their hours of operation. She commented that Le
37 Pain Quotidian has submitted an application to allow beer and wine on-site that has been
38 incomplete since May 2006. She indicated that the Commissioners have been provided with a
39 list of the restaurants in the downtown area and their hours of operation. She pointed out that no
40 entertainment is proposed with the application. She indicated that staff would recommend
41 approval of the additional hour of operation.

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 4

1
2 Senior Planner Jester indicated that the applicant is also proposing sale of alcohol for offsite
3 consumption. She said that the existing Petros Vintage clothing store near to the restaurant is
4 proposed to be changed to a Greek specialty food store which would sell only prepackaged
5 items. She indicated that they would like to have the ability to sell Greek specialty wines along
6 with food items. She stated that the Alcoholic Beverage Control board has indicated that the sale
7 of wine could come under the applicant’s existing alcohol license if the sales were conducted out
8 of the restaurant, and the proposal is to have a list of wines at the store that would be available
9 for purchase at the restaurant. She indicated that customers would have the ability to have a
10 tasting of the wine at the restaurant before they purchased a bottle. She indicated that the other
11 City departments did not have a concern the proposal, and staff is also recommending approval
12 of off site sales.

13
14 In response to a question from Commissioner Lesser, Senior Planner Jester said a notice was sent
15 to all of the properties within a 500 foot radius, and staff has received no comments regarding
16 the proposed increase in hours. She said that there have been complaints regarding the center
17 and the valet service in front of the Shade Hotel, but not specifically as to Petros restaurant. She
18 commented that the hotel has made changes to address the issue of noise and to prevent groups
19 of people gathering on Valley/Ardmore.

20
21 Commissioner Lesser said that a resident has expressed a concern to him regarding the increase
22 in hours. He said that the concern is that workers from restaurants in the downtown area park in
23 the adjacent neighborhoods to the east of the Metlox development and make noise as they return
24 to their cars after work, which would extend to later hours if the restaurants remain open later.
25 He asked about a condition being imposed requiring employees to park on the second level of
26 the parking structure.

27
28 Senior Planner Jester indicated that there currently are conditions of approval on the Metlox
29 project requiring the employees to park on site and not on the adjacent public streets. She said
30 that staff has met with the Downtown Business Association several times to address the concern,
31 and a downtown parking study is currently ongoing to consider different options to prevent
32 employees from parking in the residential areas.

33
34 Director Thompson commented that there is a need to provide more parking options for some of
35 the lower wage and part time employees.

36
37 Commissioner Bohner commented that there is a condition that employees of the Metlox
38 development park in the structure, and it would seem that preventing employees from parking on
39 the adjacent streets is an enforcement issue.

40
41 Director Thompson commented that the lower wage employees for many of the downtown

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 5

1 businesses park in the adjacent neighborhoods where they are able to find free parking. He said
2 that there is a process underway to address the parking problem in the downtown area; however,
3 the subject application is probably not the opportunity to attempt to solve the issue. He said that
4 there is a comprehensive effort underway to study the parking issue for the entire downtown
5 area.

6
7 Commissioner Cohen asked whether it had been proposed to offer employees a discount by
8 employers.

9
10 Senior Planner Jester pointed out that there already is a very discounted rate for employee
11 parking; however, there is not a great economic incentive for the lower wage part time
12 employees to purchase a permit.

13
14 Commissioner Powell commented that he is in the noticing area of the property on the Strand
15 previously referenced by **Mr. Clark** and **Ms. Fisk**, and he felt he should not participate in any
16 discussion in the interest of fairness.

17
18 In response to a question from Commissioner Powell, Senior Planner Jester commented that the
19 Sepulveda Wine Company is a retail store that applied to have wine tastings at their store. She
20 said that the subject proposal is for the ability to have tastings at a restaurant where people are
21 currently allowed to have alcohol with their food. She pointed out that Condition 8 requires that
22 the primary use shall remain as a restaurant and that food shall be available to customers at all
23 times during tastings.

24
25 Commissioner Powel commented that the word “emphasize” should be changed to “emphasis” in
26 the second sentence of Condition 3 in the draft Resolution. He stated that the intent in the staff
27 report suggests that the products sold in the retail store would basically be specialty food
28 ingredients rather than any prepared food to go, which is specified in Condition 3. He stated that
29 the language of Condition 5 seems to be in conflict, which states: “Off-site sales shall be an
30 accessory use to the primary restaurant use and shall be in conjunction with the adjacent
31 associated retail sales of pre-packaged and prepared food for off-site consumption.” He
32 suggested that the words “and prepared” be stricken from Condition 5.

33
34 In response to a question from Commissioner Cohen, Senior Planner Jester said that the reason
35 for not allowing prepared food in the retail portion is to prevent the store from becoming a deli
36 type of restaurant with items such as sandwiches and salads. She indicated that the Metlox Use
37 Permit specifically identifies two restaurants on the site in addition to the bakery and the ice
38 cream store.

39
40 **Petros Benekos**, the applicant, said that they want their store to sell specialty products from
41 Greece that are sold no other place in Los Angeles. He said that they would not sell sandwiches

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 6

1 at the retail store, and they do not wish for the store to be in competition with the restaurant. He
2 stated that it would be convenient to display the wines at the store and then allow customers to
3 taste and purchase the wines at the restaurant. He said that the retail store would be an upscale
4 Greek market solely with items from Greek suppliers and products from the restaurant. He
5 indicated that the restaurant is very busy, and his customers have requested that it remain open
6 later. He said that the extra hour would benefit the players of Los Angeles sports teams who
7 visit the restaurant after their games. He pointed out that the Shade hotel is permitted to operate
8 later hours. He said that his operation is a restaurant and not a bar, and they have received no
9 complaints. He pointed out that his employees have merchant permits to park in the Metlox
10 structure, and they do not park on the adjacent streets. He indicated that the bar in his restaurant
11 is never busy, and he wants his establishment to remain a restaurant rather than a bar.

12

13 Chairman Schlager opened the public hearing.

14

15 **Viet Ngo** stated that he wants it to be clear that he has no personal objection to the applicant. He
16 said that there is evidence that Jonathan Tolkin has committed fraud and has deprived the
17 residents of Manhattan Beach of honest service. He indicated that the Shade Hotel has slid in to
18 receive a type 47 alcohol license. He indicated that there is evidence that Mike Zislis paid a
19 bribe to a member of the City Council to amend their permit to have a bar and restaurant at the
20 hotel. He said that there is a pattern of legalizing activity that is prohibited by U.S. Code Title
21 18, Section 1961. He said that if the subject application is approved, Mike Zislis will demand to
22 be treated equally for the hotel. He said that Metlox LLC is not legally licensed to conduct
23 business, and he hopes that the FBI will intervene to end the corruption to the public. He said
24 that the Commission has the opportunity to save the City and comply with the law. He
25 commented that he is speaking in the best interests of the City and business owners to save them
26 from prosecution in the future.

27

28 Chairman Schlager closed the public hearing.

29

30 Commissioner Bohner said that he is in favor of both proposals. He indicated that he does not
31 feel that the proposals would be controversial and feels they would be an enhancement to the
32 restaurant.

33

34 Commissioner Lesser commented that he is concerned regarding the concern expressed to him
35 that the extra hour of operation could possibly contribute to employees generating noise into
36 later hours, but he does not feel the applicant should be singled out in particular. He pointed out
37 that many other restaurants in the downtown area have later hours on weekdays and weekends
38 than is proposed for the subject restaurant. He said that he would support the request, as the
39 applicant has assured the Commission that he wants to maintain a restaurant rather than a bar.
40 He said that he feels the restaurant brings people to the downtown area for the correct reasons
41 and adds life to the plaza.

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 7

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Commissioner Powell said that the restaurant is a great addition to the Metlox development, and he supports the proposal. He indicated that the applicant has been a good neighbor. He commented that there are other downtown restaurants that have hours of operation beyond the subject request. He commented that approval of the subject application would apply to all businesses including the Shade hotel; however, the hotel's operation is a separate issue. He said that he is satisfied that the wine tasting would only be out of the restaurant. He stated that the off site sale of wine and the selling of Greek specialty items would be unique and serve a demand.

9

10

Commissioner Cohen said that she also is in favor of both requests to amend the restaurant's existing permit. She indicated that the restaurant has been in operation over a year, and there has not been an issue of customers abusing the privilege of eating at the restaurant after 11:00 p.m. or midnight. She commented that she feels the applicant deserves the opportunity to remain open later, and changes can be made if any problems arise. She said that the restaurant is a great addition to the City, and the store would be an enhancement to the restaurant. She said that she would support both requests.

17

18

Chairman Schlager said that he has visited the restaurant many times. He said that he reiterates the comments of the other commissioners

20

21

A motion was MADE and SECONDED (Lesser/Bohner) to an Amendment to a Master Use Permit to extend the hours of operation by one hour, and allow off-site wine sales and associated tastings, at Petros Restaurant Located at 451 Manhattan Beach Boulevard, Metlox Development, with the additions that that the word "emphasize" be changed to "emphasis" in the second sentence of Condition 3 and that the words "and prepared" be stricken from the second sentence of Condition 5 in the draft Resolution.

27

28

AYES: Bohner, Cohen, Lesser, Powell, Chairman Schlager

29

NOES: None

30

ABSENT: None

31

ABSTAIN: None

32

33

Chairman Thompson explained the 15 day appeal period and stated that the item will be placed on the City Council's Consent Calendar for their consideration on January 2, 2007.

34

35

36

The third item for the Commissions consideration is the proposal for curtains around the outdoor dining patio. Senior Planner Jester commented that there is seating on the outdoor patio of the restaurant for approximately 60 people, and there is inside seating for approximately 100 people. She indicated that staff previously approved an awning over the existing trellis for the patio. She stated that the applicant is also requesting curtains to be installed around the patio which could be closed during cold weather or rain. She indicated that there are currently heaters on the patio

41

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 8

1 which were part of the original approval. She commented that staff felt comfortable in
2 approving the awning but did not feel they could approve the curtains without seeking further
3 direction from the Commission. She said that the Fire Department does not have a concern with
4 enclosing the patio, although they would need to conduct a flame test to ensure that there would
5 not be a concern of fire safety. She indicated that none of the other City departments have
6 expressed concerns. The developer, Jon Tolkin, submitted an e-mail supporting the curtain with
7 conditions, generally indicating that the curtains should only be used when the weather
8 conditions preclude the general public from utilizing the public Town Square, and the patio
9 needs to function and read as an outdoor patio. The Shade patio has curtains, however that space
10 is not directly on the Town Square and the patio is raised several feet.

11
12 She said that staff's concern with the curtains is that it could impact the interactive relationship
13 of the restaurant patio with the Town Square and create more of an enclosed area. The dynamics
14 and active vitality, and energy of the spaces could be compromised with the curtains. She said
15 that there is also the potential that other tenants would want the same sort of request. She said
16 that staff is seeking direction as to whether the curtains would be appropriate.

17
18 In response to a question from Commissioner Bohner, Senior Planner Jester said that no other
19 requests for similar curtains have been made and staff is not aware of any possible similar
20 requests in the future.

21
22 In response to a question from Commissioner Lesser, Director Thompson stated that the curtains
23 would be used to shield the outside dining room from the cold and wind, and there is no real
24 method to protect the patio from the rain. He stated that staff has not taken a position on the
25 request, and they are bringing the information forward to the Commission for their direction.

26
27 In response to a question from Commissioner Cohen, Senior Planner Jester indicated that the
28 proposed material for the curtains is a heavy canvas that would be a sandy color.

29
30 In response to a question from Commissioner Powell, Senior Planner Jester said that staff does
31 have a concern that it would be difficult to enforce any restrictions that are placed on the use of
32 the curtains if they are approved.

33
34 Commissioner Cohen said that she feels the applicant should be given the presumption that he
35 would cooperate with any conditions that are placed on the use of the curtains.

36
37 **Mr. Benekos** said that he understands the issue is complicated because of the qualities of having
38 an open plaza. He said that his customers have made requests for protection from the fog and
39 rain, which is the reason he paid to have the awning installed. He said that he has strictly
40 enforced the conditions of the awning. He commented that the proposed curtains would
41 compliment the plaza and restaurant. He indicated that the Shade hotel uses similar curtains that

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 9

1 they have installed every day in order to mitigate noise from the plaza. He commented that the
2 Shade is also part of the plaza, and it seems to be discriminating to allow curtains for the hotel
3 and not for his restaurant. He said that he would support and comply with any conditions on the
4 use of the curtains by the City because he does not want the patio to be closed off from the rest
5 of the plaza. He said that he does need his customers to remain comfortable while they are
6 dining, and it seems reasonable to allow the use of the curtains after 6:00 p.m. or 6:30 pm. at
7 times when the temperature drops below 65 degrees. He stated that fog comes in over the area
8 typically in May through July which drops the temperature. He indicated that he needs to have
9 the ability to cover the patio to accommodate the customers who come for dinner. He
10 commented that there generally are not families wandering around the plaza area after 7:00 at
11 night.

12
13 **Chris Girt**, Tolkin and Associates Architecture, representing the applicant, described the design
14 of the proposed curtains. He indicated that the intent of the proposal is to keep the customers of
15 the restaurant happy. He said that the curtains would be compatible and not detract from the
16 design of the building or the plaza area.

17
18 In response to a question from Commissioner Lesser, **Mr. Girt** said that the concern regarding
19 the closing off of the patio from the rest of the plaza could be mitigated by restricting the hours
20 during which the curtains may be closed. He commented that the pattern proposed on the
21 curtains also would help make them blend with the design restaurant when they are closed.

22
23 In response to a question from Commissioner Cohen, **Mr. Girt** indicated that they would be
24 willing to consider different types of material if the Commission concludes that they feel the
25 proposed fabric would result in the curtains creating too much of a barrier between the restaurant
26 and the plaza.

27
28 Commissioner Powell commented that he has seen similar types of curtains that were transparent
29 and not very noticeable, and he has seen others that were faded and discolored. He stated that
30 his recollection from the Cultural Arts Commission discussion of the Metlox project design is
31 that there were certain paint colors for the structures that were dictated and others that were
32 discouraged or disallowed. He commented that he would like for other alternative fabrics to be
33 considered for the curtains that would appear more open and transparent. He said that he would
34 also want the curtains to be used only when necessary for temperature extremes and inclement
35 weather and during the evening. He indicated that heaters function well to provide heat when
36 the outside temperature is cold. He said that he is not certain of the necessity for curtains when
37 the temperature can be controlled by the heaters.

38
39 **Mr. Girt** commented that the purpose of the curtains would be to retain some of the heat that
40 radiates from the heaters. He pointed out that the existing outdoor heaters at the restaurant are
41 not as powerful as the vertical mobile units used by some other establishments. He indicated

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 10

1 that standards of the Fire Department require review and approval.

2

3 Chairman Schlager opened the public hearing.

4

5 There being no one wishing to speak regarding the issue, Chairman Schlager closed the public
6 hearing.

7

8 Commissioner Cohen said that she would support allowing the applicant an opportunity to utilize
9 the proposed fabric; however, she would recommend that staff work with the applicant to
10 consider more translucent or transparent and aesthetic fabrics that would also be approved by the
11 Fire Department. She said that she would be willing to support allowing the proposed material if
12 there were no other viable alternatives. She indicated that changes can be made after the curtains
13 are installed if it is felt that the restaurant has become too isolated. She said that she appreciates
14 that the applicant does not want to lose business on the patio during cold weather. She
15 commented that it would be difficult to regulate use of the curtains according to the temperature,
16 and it would require good faith by the applicant. She stated that she feels the applicant should be
17 given the benefit of the doubt. She indicated that it would be difficult to specify certain months
18 during which the curtains may be closed.

19

20 Commissioner Powell said that there were cogent arguments in favor and against the curtains. He
21 indicated that the original intent of the Metlox project was for it to provide an open town square
22 atmosphere. He indicated that the Shade hotel already has similar curtains; however, it is not
23 directly in the center of the town square. He said that he has no doubt that the applicant is
24 responsible and that there would not be an issue of his complying with any conditions. He
25 indicated that the Commissioners have also been told that no other businesses are considering
26 such a request; however, enforcement could be an issue in the event other businesses do decide
27 they want similar curtains. He pointed out that people most likely would not be congregated in
28 the town square during the times that the curtains would be closed in the evenings in extreme
29 cold. He suggested that there be a review period after curtains would be installed, and action
30 could be taken if there are considerable issues.

31

32 Commissioner Bohner said that the request is reasonable, and there would be an incentive for the
33 applicant to have the curtains open under regular conditions. He indicated that the use of the
34 curtains can be restricted to evening hours and certain temperature conditions. He said that he
35 would encourage the applicant to consider other materials for the curtains that would possibly be
36 translucent, but he does not have a strong objection to the proposed material. He commented
37 that he would not burden the applicant to allow the curtains on a temporary basis. He said that
38 he would be in favor of allowing the curtains and limiting them to be closed only during the
39 evening, and possibly only under a certain temperature.

40

41 Commissioner Lesser said that it is in the interest of the applicant to maintain the town square

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 11

1 atmosphere, and part of the charm of the restaurant is that it is part of the town square. He stated
2 that there is a consensus for a trial of different fabrics. He said that he would suggest that staff
3 evaluate other materials for the curtains to determine whether a more translucent material could
4 be used. He stated that he would defer to staff if it is determined that the proposed canvas is the
5 only material that is viable given the fire code. He said that he would also defer to staff to arrive
6 at reasonable restrictions for the hours that the curtains could be closed.

7
8 Chairman Schlager said that he feels the request is reasonable. He commented that he would be
9 in favor of granting the request for Petros and other restaurants that may make similar requests in
10 the future provided there are conditions. He suggested including conditions that the patio remain
11 open until sunset and open unless the temperature is below 65 degrees. He said that he would
12 also support a condition that the north and south ends of the patio remain open. He said that his
13 concern is that the restaurant does attract a high clientele, and there are probably occasions
14 where parties would want to be provided with more privacy, and he would not want the curtains
15 used for this purpose. He said that he would also direct the staff to consider alternative fabrics
16 that would be transparent or semi-transparent with the goal of remaining aesthetically pleasing.

17
18 Director Thompson suggested that the curtains not be permitted to be closed before 6:30 p.m., or
19 sunset whichever is later. He also pointed out that there are certain events that occur in the town
20 square which is when there is a lot of activity in the center and staff would not want to see the
21 curtains closed during those times, or other times when the town square is active.

22
23 Commissioner Cohen suggested that a condition be included that the applicant cooperate with
24 Town Square functions.

25
26 Director Thompson said that staff's understanding is that the direction of the Commission would
27 be to allow the use of the curtains throughout the entire year with restrictions on the hours and
28 temperature during which they may be closed.

29
30 **DIRECTOR'S ITEMS** None

31
32 **PLANNING COMMISSION ITEMS**

33
34 Commissioner Lesser stated that the fountain in the Metlox development has sharp corners, and
35 he asked whether staff has received any reports of children being injured while playing.

36
37 Director Thompson indicated that staff is not aware of any injuries that have occurred of children
38 playing near the fountain, however, they have heard a lot of concerns expressed.

39
40 Commissioner Powell commented that Manhattan Beach is one of the most beautiful beach town
41 communities in the country, which is attributable in large part to the excellent work by the

PLANNING COMMISSION [DRAFT] MINUTES

December 13, 2006

Page 12

1 Community Development Director, planning staff, City employees, City Council, Commission,
2 and residents.

3

4 **TENTATIVE AGENDA: January 10, 2007**

5

6 **ADJOURNMENT**

7

8 The meeting of the Planning Commission was **ADJOURNED** at 8:50 p.m. in the City Council
9 Chambers, City Hall, 1400 Highland Avenue, to Wednesday, December 13, 2006, at 6:30 p.m. in
10 the same chambers.

11

12

13 _____
14 RICHARD THOMPSON
Secretary to the Planning Commission

SARAH BOESCHEN
Recording Secretary